

Honorable Robert Drain

May 11, 2020

United States Bankruptcy Judge

United States Bankruptcy Court

Southern District of New York

300 Quarropas Street

White Plains, New York 10601-4140

Re: Purdue Pharma L.P., et al, Case No. 19-23649 [RDD]

Dear Judge Drain:

This is an addition to the letter I wrote to you in October, 2019 against the proposed settlement for Purdue Pharma in bankruptcy court which absolves the Sacklers of responsibility for the opioid epidemic which has taken the lives of nearly 400,000 Americans with multiples more suffering from the potentially lethal disease of opioid addiction.

For the past 17 years, I have been involved as a medical advisor for groups of people who have lost loved ones to opioids. I attended the 2007 federal trial of the three Purdue Pharma executives at which many of these people gave heart-wrenching testimonies about their deceased loved ones who died while having no idea about the dangers of OxyContin and other prescription opioids. My medical practice of internal medicine and rheumatology has extended over 40 years which spanned two medical generations, including the heroin

epidemic of NYC in the late 60's and early 70's during which, as a resident in internal medicine in NYC, I cared for patients with some of the most severe complications of heroin, while becoming very familiar with the many adverse effects of opioids on both the human body and brain. At the onset of the current opioid epidemic many years later, I couldn't believe that OxyContin and other opioids were being promoted and prescribed so broadly and non-selectively for almost anyone with pain. In 2010, I became a founding member and the Rheumatology Consultant for Physicians for Responsible Opioid Prescribing, the leading national group of medical experts of multiple specialties who have addressed needed recommendations and potential solutions to the opioid epidemic from different perspectives.

This public health epidemic, which has been called the worst in the nation's history by the CDC, was made possible from its onset by a medical doctor, Richard Sackler, who was also trained in NYC at NYU Medical School during the above earlier heroin epidemic. Unless he slept his way through medical school, he should have learned from this experience about the dangers of opioids, especially when used across-the-board for all types of pain, well beyond their accepted use for the pain of cancer, end-of-life, acute traumatic and surgical conditions, and selected patients with severe chronic noncancer pain. Instead, he decided to follow in the footsteps of his uncle, Arthur Sackler, who took advantage of the known effects of dependency and addiction with the chronic use of Valium, by

marketing this potent brain-active tranquilizer for all degrees of anxiety, especially to housewives for the minor stresses and tensions of everyday living. But this was the formula which guaranteed repeated refills with a massive increase in prescribing, sales and profits, which Richard Sackler then applied to OxyContin. By promoting this addictive opioid for all types and degrees of pain, he lied about both its benefits, which he markedly overstated, and its risks, which he grossly understated, while calling those unfortunate patients who became addicted to OxyContin, “reckless criminals.” He did this despite a lack of scientific evidence showing that opioids were safe and effective long-term for chronic pain. And the rest of the story became the tragic history of the last 20 years which we have all lived through.

It is clear that Richard Sackler possessed the medical knowledge which could have been used for the benefit of humanity, but instead he used it for his and his family’s personal gain, and blatantly violated the first dictum of medicine to “first do no harm.” It was a glaring example of fraud as a result of distorted medical and ethical priorities, which disgraced the once proud profession of medicine and lowered the quality of medical care. His fraudulent marketing directly led to the greatly expanded prescribing of opioids for all types and degrees of pain which was the nidus for the tremendous volume of opioid-related death and addiction, and the other grave consequences of the opioid epidemic. These are the consequences which countless

people, including all those who protested at the 2007 federal trial of Purdue, have experienced and suffered through.

He should be held accountable and made to pay for his crimes under established criminal statutes, which is but small atonement for the incalculable devastation he has inflicted upon the public health and American society, which will last for many more years. And this is precisely why any settlement which allows him and the rest of the Sackler family members who sat on Purdue's Board of Directors, as well as Purdue Pharma, to escape accountability, should be clearly rejected.

In addition, in support of the request of Harrison Cullen filed on 5/6/20 and others, all the family members who lost loved ones and are filing claims against Purdue Pharma, that, in view of all the hardships and obstacles imposed by COVID-19, they should be given sufficient time to file, and at the very least, the deadline should be extended from June 30<sup>th</sup> to September 30<sup>th</sup>, 2020.

Thank you kindly.

Sincerely,

Stephen G. Gelfand, MD, FACP, FACR

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